



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BARRY'S CUT RATE STORES INC.; DDMB,
INC. d/b/a EMPORIUM ARCADE BAR;
DDMB 2, LLC d/b/a EMPORIUM LOGAN
SQUARE; BOSS DENTAL CARE;
RUNCENTRAL, LLC; CMP CONSULTING
SERV., INC.; TOWN KITCHEN, LLC d/b/a
TOWN KITCHEN & BAR; GENERIC DEPOT
3, INC. d/b/a PRESCRIPTION DEPOT; and
PUREONE, LLC d/b/a SALON PURE,

Plaintiffs,

v.

VISA, INC.; MASTERCARD
INCORPORATED; MASTERCARD
INTERNATIONAL INCORPORATED; BANK
OF AMERICA, N.A.; BA MERCHANT
SERVICES LLC (f/k/a DEFENDANT
NATIONAL PROCESSING, INC.); BANK OF
AMERICA CORPORATION; BARCLAYS
BANK PLC; BARCLAYS BANK
DELAWARE; BARCLAYS FINANCIAL
CORP.; CAPITAL ONE BANK, (USA), N.A.;
CAPITAL ONE F.S.B.; CAPITAL ONE
FINANCIAL CORPORATION; CHASE BANK
USA, N.A.; CHASE MANHATTAN BANK
USA, N.A.; CHASE PAYMENTECH
SOLUTIONS, LLC; JPMORGAN CHASE
BANK, N.A.; JPMORGAN CHASE & CO.;
CITIBANK (SOUTH DAKOTA), N.A.;
CITIBANK N.A.; CITIGROUP, INC.;
CITICORP; and WELLS FARGO &
COMPANY,

Defendants.

MDL No. 1720

Docket No. 05-md-01720-MKB-VMS

**Notice of Motion to Intervene by
Walmart Inc.**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and Declaration of Paul H. Schoeman, dated March 26, 2021 and attaching Walmart Inc.'s Proposed Memorandum of Law in Opposition to Equitable Relief Plaintiffs' Motion for Class Certification,

Proposed Intervenor Walmart Inc. will move this Court, before the Honorable Margo K. Brodie, United States District Judge, on a date and time to be set by the Court, at the United States Courthouse, 225 Cadman Plaza East, Courtroom 6F, for an Order granting leave to Walmart Inc. to intervene pursuant to Fed. R. Civ. P. 24 for the limited purpose of filing an opposition to Equitable Relief Plaintiffs' Motion for Class Certification dated December 18, 2020, and awarding Walmart Inc. such other and further relief as the Court deems just and proper.

Dated: March 26, 2021

**KRAMER LEVIN NAFTALIS &
FRANKEL LLP**

/s/ Paul H Schoeman

Paul H. Schoeman
1177 Avenue of the Americas
New York, NY 10036
(212) 715-9100 (phone)
(212) 715-8064 (facsimile)
pschoeman@kramerlevin.com

DOWD BENNETT LLP

James F. Bennett
7733 Forsyth Blvd., Suite 1900
St. Louis, Missouri 63105
314-889-7300 (phone)
314-863-2111 (facsimile)

Attorneys for Walmart Inc.